



State of Utah

Department of Natural Resources

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas & Mining

JOHN R. BAZA
Division Director

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

February 9, 2007

CERTIFIED RETURN RECEIPT
7004 2510 0004 1824 4660

Bob Sutherland
Sutherland Brothers Construction
29703 Highway 97
P. O. Box 889
Nucla, Colorado 81424

Subject: Reclamation and Bonding Requirements, Sutherland Brothers Construction, Whitecloud Mine, S0150044, Emery County, Utah

Dear Mr. Sutherland:

According to the Division's records, the Whitecloud Mine has been inactive since 1989, about 16 years. Rule R647-3-113.5 states in part:

Reclamation of a small mining operation may be required after five (5) years of continued suspension. The Division will require complete reclamation of the mine site when the suspension period exceeds 10 years, unless the operator appeals to the Board prior to the expiration of the 10-year period and shows good cause for a longer suspension period.

Sutherland Brothers Construction has not appealed to the Board of Oil, Gas and Mining for an extended period of inactivity, so the Division is obligated to require complete reclamation of the site. **Reclamation, including site grading and seeding, must be completed by October 15, 2007.** Failure to finish reclamation within this time period will result in enforcement action. If you wish to appeal this decision, you may request a formal hearing before the Board (R647-5-101.1).

In addition, rule R647-3-111 requires all small mines to post a reclamation surety in a form and amount acceptable to the Division. According to the notice of intention to commence small mining operations on file with the Division, the site is permitted for "less than five acres." Based on average reclamation costs for a five-acre site, the reclamation surety for the Whitecloud Mine is \$18,600.

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To avoid enforcement action, please submit the surety and a reclamation contract by March 16, 2007. Several forms of surety are acceptable, including cash, a letter of credit, a certificate of deposit, or a corporate surety. For information about submitting the surety and reclamation contract and to obtain the proper forms, please contact Beth Ericksen at 801-538-5318 or by e mail at bethericksen@utah.gov.

Other questions about this letter can be directed to me at 801-538-5258 or Paul Baker at 801-538-5261. Thank you for your cooperation.

Sincerely,



Susan M. White
Mining Program Coordinator
Minerals Regulatory Program

SMW:PBB:pb

cc: Beth Ericksen, DOGM
Rebecca Doolittle, Price BLM
Daron R. Haddock, DOGM

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